

Message

From: Young, Nichole [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DE6D7F1C18F94AEB89C71047E9772E42-YOUNG, NICH]
Sent: 8/1/2022 6:18:46 PM
To: Vela, Austin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=213cae4573c4441cb543699ad802c024-Vela, Austin]
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Yours welcome Austin.

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Monday, August 1, 2022 12:05 PM
To: Young, Nichole <young.nichole@epa.gov>; Larsen, Brent <Larsen.Brent@epa.gov>
Cc: Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Thanks Nichole! I appreciate the quick response.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Monday, August 1, 2022 11:17 AM
To: Vela, Austin <Vela.Austin@epa.gov>; Larsen, Brent <Larsen.Brent@epa.gov>
Cc: Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Austin,

During the administrative continuance period an operator with existing coverage will maintain coverage for all facilities that were covered prior to permit expiration. If an existing operator wishes to obtain coverage for a facility that is not currently authorized, they should do so prior to the expiration of the permit. An existing operator cannot obtain coverage for a new facility (that was not previously authorized prior to permit expiration) during the administrative continuance period.

Hopefully that makes sense.

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Monday, August 1, 2022 11:01 AM
To: Larsen, Brent <Larsen.Brent@epa.gov>; Young, Nichole <young.nichole@epa.gov>
Cc: Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

All – the Senator's office had a follow up to our provided response to this inquiry back in June. Please let me know if you can assist and provide a draft response to this follow up:

"Last question (for now), if the GP is administratively extended does that mean a person with existing permits will be able to apply for and receive new permits after the GP expires under that administrative extension?"

Thanks again for your assistance.

From: Larsen, Brent <Larsen.Brent@epa.gov>
Sent: Wednesday, June 29, 2022 1:06 PM
To: Vela, Austin <Vela.Austin@epa.gov>; Young, Nichole <young.nichole@epa.gov>
Cc: Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Re question on folks not covered by 9/30.

Hard to tell on impacts on permittees and production.

1. If operators anticipate needing to discharge after 9/30 and do not already have coverage that will automatically be administratively continued during any gap in permit availability, they could always get coverage prior to 9/30 even if discharges have not yet begun and report "no discharge" until they start discharging. If so, no impact since they would be covered by the administratively continued permit.
2. Even if not reissued by 9/30, we do not anticipate a long period before the permit could be issued and effective again. We do not know if any operators would need new permit coverage during this short timeframe. Unknown impact, if any.

Sincerely,

Brent Larsen
Chief, Permitting Section (6WQ-PP)
214-665-7523

U.S. Environmental Protection Agency
Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Wednesday, June 29, 2022 12:50 PM
To: Young, Nichole <young.nichole@epa.gov>
Cc: Larsen, Brent <Larsen.Brent@epa.gov>; Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Thanks! And Marcus for awareness, I will still need to give my management and the front office a chance to weigh in and if they're good with the response, I will run it by OCIR staff before sending to the Senator's staffer.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, June 29, 2022 12:32 PM
To: Vela, Austin <Vela.Austin@epa.gov>
Cc: Larsen, Brent <Larsen.Brent@epa.gov>; Zobrist, Marcus <Zobrist.Marcus@epa.gov>; Santiago Roque, Santiago <SantiagoRoque.Santiago@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Austin,

The first response came from the OW. Marcus Zobrist contacted us for our input. CCing him.

Marcus, there were some follow up questions about the OCS permit. Please see the response Brent and I came up with below as well as additional questions that were asked.

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Wednesday, June 29, 2022 12:27 PM
To: Young, Nichole <young.nichole@epa.gov>
Cc: Larsen, Brent <Larsen.Brent@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

This looks great, Nichole and appreciate the quick response. Before I send to my management for approval, I just want to check to see if Maria and Charles/Troy are aware of the follow up and our draft response. I wasn't sure if anyone had been asked in the region by OW and wasn't clear on where the first response originated from in EPA. So, if anyone in R6 had provided to HQ folks, it would just be good to close the loop with them.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, June 29, 2022 10:08 AM
To: Vela, Austin <Vela.Austin@epa.gov>
Cc: Larsen, Brent <Larsen.Brent@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Ex. 5 Deliberative Process (DP)

From: Smalley, Bryant <smalley.bryant@epa.gov>
Sent: Wednesday, June 29, 2022 8:15 AM
To: Vela, Austin <Vela.Austin@epa.gov>; Mohon, Mitty <Mohon.Mitty.M@epa.gov>
Cc: Martindale, Cary <martindale.cary@epa.gov>; rosborough.evelyn@epa.gov; Larsen, Brent <Larsen.Brent@epa.gov>; Young, Nichole <young.nichole@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Austin – I believe these questions are more appropriate for the WD Permitting folks to answer. I don't see any Enforcement questions.

Looping in permitting.

B

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Tuesday, June 28, 2022 11:47 PM
To: Mohon, Mitty <Mohon.Mitty.M@epa.gov>; Smalley, Bryant <smalley.bryant@epa.gov>
Cc: Martindale, Cary <martindale.cary@epa.gov>; rosborough.evelyn@epa.gov
Subject: FW: Sen. Cruz staff Qs RE: NSR and GP questions

Ex. 5 Deliberative Process (DP)

His multi question follow up:

1. Will there definitely be a lapse, since it looks like EPA is out of time if it hasn't published the draft yet? If so, how long is "short"? – weeks, months, years?
2. Won't a lapse impact production on existing leases for activities that are not requested prior to Sept. 30 (e.g., new discharges requested after Sept. 30 without a GP in place)?
3. Roughly how much production will be impacted by that lapse?
4. What can the agency do to accelerate the renewal and minimize impacts on production? Will the agency be doing that?

From: Borum, Denis <Borum.Denis@epa.gov>

Sent: Tuesday, June 28, 2022 2:22 PM

To: Vela, Austin <Vela.Austin@epa.gov>

Subject: FW: Sen. Cruz staff Qs RE: NSR and GP questions

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Sent: Monday, June 27, 2022 11:58 AM

To: Borum, Denis <Borum.Denis@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>

Cc: Swint, Matthew (Cruz) <Matthew_Swint@cruz.senate.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Denis, thank you for last week's response. I have some follow-up questions:

1. Will there definitely be a lapse, since it looks like EPA is out of time if it hasn't published the draft yet? If so, how long is "short"? – weeks, months, years?
2. Won't a lapse impact production on existing leases for activities that are not requested prior to Sept. 30 (e.g., new discharges requested after Sept. 30 without a GP in place)?
3. Roughly how much production will be impacted by that lapse?
4. What can the agency do to accelerate the renewal and minimize impacts on production? Will the agency be doing that?

Thank you again,

From: Schindler, James (Cruz)

Sent: Thursday, June 23, 2022 3:56 PM

To: 'Borum, Denis' <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi Denis, thank you for that, message received.

From: Borum, Denis <Borum.Denis@epa.gov>

Sent: Thursday, June 23, 2022 3:53 PM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi again, James –

The new Region 6 Offshore Oil & Gas draft general permit is close to being issued for public notice. Once the permitting authority initiates the public notice period, any interested person may submit written comments on the draft permit and accompanying fact sheet and/or request a public hearing on the draft permit. In the event that there is a short lapse between the expiration of the current permit and the effective date of the reissuance, new dischargers that wish to have authorization under the current permit, may apply for permit coverage prior to the expiration date of September 30th. Current dischargers under the current permit will have their coverage administratively continued if a new permit is not issued by the expiration date of the current permit.

Please let me know if you have additional questions.

Denis

Denis R. Borum

Congressional Liaison Specialist

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W. (MC-1301A)

Washington, D.C. 20460

(202) 564-4836 (desk phone)

(202) 527-1386 (mobile phone)

(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Borum, Denis
Sent: Tuesday, June 21, 2022 11:01 AM
To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi, James – I'm checking into the NPDES GP and will follow-up with you soon.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (desk phone)
(202) 527-1386 (mobile phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Sent: Tuesday, June 21, 2022 10:38 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Thank you Karen for the reply. Is there any update on the second question about GP's for offshore?

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, June 21, 2022 10:27 AM
To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Ex. 5 Deliberative Process (DP)

state/local
not sure if EIA

helpful, but again
not required

Thanks again for your patience on this. Take care,

Karen.

From: Thundiyil, Karen

Sent: Friday, June 17, 2022 2:04 PM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi James,

Glad we could touch base over the phone yesterday. I just tried to reach you by phone but I didn't catch you. I wanted to let you know we are still checking on what kind of info we have that captures what you are looking for regarding NSR permits/petroleum refineries. I hope to have a more substantive update for your next week.

Thank you for your patience. Take care,

Karen.

Karen Thundiyil

Office of Congressional Affairs

U.S. Environmental Protection Agency

(202) 564.1142

From: Thundiyil, Karen

Sent: Thursday, June 16, 2022 10:40 AM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi James – thanks for reaching out with your NSR question. I'm not sure if we have that data at HQ or if it needs to be compiled from the regional offices. I'm checking. In the meantime, please let know any background you can share and more about your sense of timing.

Take care,

Karen.

From: Levine, Carolyn <Levine.Carolyn@epa.gov>

Sent: Wednesday, June 15, 2022 5:05 PM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>

Subject: Sen. Cruz staff Qs RE: NSR and GP questions

hi James,

Thanks for your email. I've added other folks here to assist with your Qs below.

thanks,
Carolyn

*Carolyn Levine
Office of Congressional and
Intergovernmental Relations
U.S. EPA
(202) 564-1859 (forwarded)*

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Sent: Wednesday, June 15, 2022 5:02 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Subject: NSR and GP questions

Karen and Carolyn, I hope you are well. My apologies if you aren't the right points of contact, and if not could you connect me with those who are.

I'm writing with two questions for the EPA experts, and because of the timing, having these answers as soon as possible is greatly appreciated!

1. Are there any pending New Source permits for gasoline/diesel refineries or expansions under review by EPA? Can you provide a list? I tried looking on the website, but was unsuccessful.
2. The general permit for offshore oil/gas operators on the Outer Continental Shelf to discharge processed water expires September 30, 2022 (according to [this](#)). Is that still true? Where is the agency in process and what is the timing with issuing a new GP? Is the agency able/planning to extend the existing GP in the event a new one cannot be issued before the current one expires? What is the plan if the existing GP cannot be extended?

Thank you,

James Schindler
Legislative Counsel
Office of Senator Ted Cruz
127A Russell Senate Office Building
Washington, DC 20510